



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER



Ratifying the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)

A toolkit

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About the toolkit

The 75th anniversary of the Universal Declaration of Human Rights celebrated in 2023 is an occasion to renew the ground-breaking commitments made by States when they adopted the text in 1948. The Declaration has inspired the norms and standards that are embodied in the core human rights treaties and their optional protocols. These instruments aim to realize the rights contained in the Declaration, by making human rights legal entitlements with legally binding obligations for States.

Ratifying these instruments is an essential means to translating the human rights enshrined in the Declaration into reality on the ground, while conveying a message of commitment to the international community.

Human Rights 75 is an initiative led by UN Human Rights and its partners. It seeks, among others, to promote universality and renewed commitment, including through a campaign advocating for the ratification of the core human rights treaties and their optional protocols. Thus, this year, States are called upon to formally re-commit to the protection and respect of human rights by ratifying outstanding human rights instruments.

This toolkit presents the benefits of ratifying the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), answers questions on its content and application, and provides a simplified version of the provisions of the Convention.

Why Ratify?

The International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) is a legally binding treaty. Its objective is to prevent and eliminate all forms of racial discrimination and to promote racial equality.

Ratifying the International Convention on the Elimination of all Forms of Racial Discrimination:



1. Provides a framework for States to develop and review laws, policies, and programmes and to monitor and report on the progress in eliminating racial discrimination.



2. Is a critical starting point for building a society for all, one that respects the equality of all human beings, regardless of their race, colour, descent, or national or ethnic origin.

3. Sends a powerful message to society that racial discrimination has no place in modern society.

4. Is an important step towards upholding the principles of equality and non-discrimination as States commit to take measures to eliminate racial discrimination and promote equal rights for all individuals.



5. Affirms an unequivocal commitment to addressing systemic racism, promoting inclusivity, fostering social cohesion, and ensuring the equal enjoyment of human rights and fundamental freedoms for all human beings.

6. Guarantees victims' rights, including their access to remedies when they have faced racial discrimination.

Why Ratify?



7. Contributes to achieving several Sustainable Development Goals by taking measures to ensure no one is left behind.

8. Helps identify patterns of racial discrimination and design adequate responses thereto.

9. Provides States with guidance and recommendations from the Committee on the Elimination of Racial Discrimination (CERD) on the measures needed to fulfil their obligations under the Convention.



10. Leads to greater international support for necessary domestic reforms in sectors relevant to the elimination of racial discrimination.

11. Promotes international cooperation and solidarity to combat racial discrimination as States exchange best practices, experiences and collaborate on effective strategies to address this pressing global issue and the overall commitment to building a just and inclusive international community.



12. Fosters social cohesion, inclusion and progress as the Convention's provisions promote an environment that harnesses the diverse talents and contributions of all individuals, irrespective of their racial background.



Frequently Asked Questions



How does the Convention define racial discrimination?

The Convention defines racial discrimination as “any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.

How many States have ratified the Convention?

As at August 2023, the Convention has been ratified by 182 States, making it one of the most widely ratified human rights treaties in the world.

Does the Convention include a reporting procedure?

Yes. States must submit periodically a report on measures taken to implement the Convention. To facilitate this, States can solicit support from OHCHR for the preparation of reports and for streamlining national processes with other international and regional reporting obligations.

Frequently Asked Questions



Do States need to harmonise their national legislation with the Convention before they ratify or accede to it?

No. States are not required to harmonise their national legislation before ratifying or acceding to the Convention. Only upon ratification or accession is the State Party obliged to do so. It will also benefit from the support and guidance from CERD on the implementation of the provisions of the Convention at the national level.

Simplified Version

International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)



Entry into force: 4 January 1969, in accordance with article 19.

Registration: 12 March 1969, No. 9464

Status as of August 2023: Signatories: 88. Parties: 182.

Procedural provisions of the Convention have been omitted.

Definition of racial discrimination (Art. 1)

Racial discrimination is any action that treats people differently based on their race, colour, descent, or national or ethnic origin or that results in them not being able to enjoy their human rights on an equal basis with others.

The State can take special measures to protect certain racial or ethnic groups or individuals as long as these measures are necessary and do not result in different racial groups having separate rights. These measures must stop when the objectives for which they were taken have been achieved.

Anti-discrimination legislation (Art. 2)

The State, including its public authorities or institutions at any levels, cannot engage in, support, or defend any act or practice of racial discrimination.

The State must prohibit and eliminate racial discrimination, including by reviewing its policies and laws to ensure that they do not result in racial discrimination.

The State should prohibit and end racial discrimination by private actors - individuals, groups, or organizations. The State should not sponsor, defend, or support racial discrimination by any group or organization.

The State should encourage, where appropriate, integrationist multiracial organizations, movements of eliminating barriers between races and discourage racial division.

Simplified Version

Racial segregation and apartheid (Art. 3)

The State must prevent, prohibit, and eradicate racial segregation and apartheid.

Racist hate speech (Art. 4)

The State should condemn all propaganda and all organizations which are based on ideas or theories of superiority. The State must criminalize and punish speeches, violence or acts that promote racial discrimination. The State must prohibit organizations and propaganda activities that promote racial discrimination and must punish those who participate in them. The State must not allow public authorities and institutions to promote or incite racial discrimination.

Human rights protected under the Convention (Art. 5)

Everyone must be able to enjoy human rights and freedoms without racial discrimination. This includes civil and political rights as well as economic, social, and cultural rights. Everyone, without distinction as to race, colour, or national or ethnic origin, has the right to be equally treated before courts and tribunals; to be protected from violence and harm; to vote and be elected; to take part in a protest; to access education, health services and housing; etc.

Remedies for victims of racial discrimination (Art. 6)

The State must protect everyone against any acts of racial discrimination and must guarantee that anyone who has suffered any damage because of such discrimination has access to an effective remedy.

Education (Art. 7)

The State must take actions, especially through education, culture, and information, to combat prejudices which lead to racial discrimination and to promote understanding and tolerance among nations and racial or ethnic groups.

Committee (Art. 8)

Creates the Committee on the Elimination of Racial Discrimination, composed of 18 experts to monitor the implementation of the Convention.

Simplified Version

Reporting (Art. 9)

States Parties must submit their initial report within one year after the Convention has entered into force on that State and then periodic reports every two years.

Functioning of the Committee (Art. 10)

This article establishes how the Committee works and where it meets.

Inter-State complaints (Art. 11)

A State party can submit a complaint to the Committee against another that it believes has violated the provisions of the Convention.

Inter-State proceedings (Arts. 12 and 13)

These articles describe the procedure that the Committee will follow when there is a dispute among States parties, which includes the appointment of a Conciliation Commission to help resolve it.

Individual complaints (Art. 14)

Victims of racial discrimination can submit a complaint to the Committee if the State has accepted this specific procedure by making the necessary declaration under Art. 14.

Colonial countries and Peoples (Art. 15)

The Convention does not limit the peoples' right of petition under the Declaration on the Granting of Independence to Colonial Countries and Peoples.

